

REMARKS

Claims 1, 2, 5, 8, 9, 19 and 22 are currently pending in the application.

Claims 1, 2, 5, 8, and 9 stand rejected.

Claims 19 and 22 stand allowed. Applicant appreciates the allowance of claims 19 and 22 of the application.

This amendment is in response to the Office Action of September 8, 2005.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Dreher (U.S. Patent 4,551,717) in view of Inobe et al. (U.S. Patent 4,882,581)

Claims 1, 2, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dreher (U.S. Patent 4,551,717) in view of Inobe et al. (U.S. Patent 4,882,581). Applicant respectfully traverses this rejection, as hereinafter set forth.

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicant has amended the claimed invention to clearly distinguish over the cited prior art.

Applicant asserts that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure.

The Dreher reference teaches or suggests a programmable key for use on a terminal having a microchip device incorporated therein to permit programming the function of the key, and one or more liquid crystal displays to indicate the programmed function of the key. A key with a clear plastic cap top has a liquid crystal display positioned to display at the top of the key. Alternately, a light emitting diode display may be used. The liquid crystal display may display

one or more alpha-numeric characters. The top of the key is made of a clear plastic, glass or other transparent substance being molded having the shape of a lens.

The Inobe et al. reference teaches or suggests a terminal keyboard including silicone rubber mixed with a phosphorescent material used on the external exposed surface of the keyboard so that it is luminous for a certain duration by being irradiated with a light source.

Applicant asserts that any combination of the Dreher reference and the Inobe et al. reference fail to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the claimed inventions of presently amended independent claims 1, 2, 8, and 9 because any combination of the cited prior art fails to teach or suggest all the claim limitations of the claimed inventions of presently amended independent claims 1, 2, 8, and 9. Applicant asserts that any combination of the cited prior art fails to teach or suggest the claim limitation of presently amended independent claims, 1,2, 8, and 9 calling for “a chemical source of electrical power”.

Accordingly, presently amended independent claims 1, 2, 8, and 9 are allowable.

Obviousness Rejection Based on Dreher (U.S. Patent 4,551,717) in view of Inobe et al. (U.S. Patent 4,882,581) and Takami (U.S. Patent 4,205,522)

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dreher (U.S. Patent 4,551,717) in view of Inobe et al. (U.S. Patent 4,882,581) and Takami (U.S. Patent 4,205,522). Applicant respectfully traverses this rejection, as hereinafter set forth.

Applicant again asserts that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure.

The Dreher reference teaches or suggests a programmable key for use on a terminal having a microchip device incorporated therein to permit programming the function of the key,

and one or more liquid crystal displays to indicate the programmed function of the key. A key with a clear plastic cap top has a liquid crystal display positioned to display at the top of the key. Alternately, a light emitting diode display may be used. The liquid crystal display may display one or more alpha-numeric characters. The top of the key is made of a clear plastic, glass or other transparent substance being molded having the shape of a lens.

The Inobe et al. reference teaches or suggests a terminal keyboard including silicone rubber mixed with a phosphorescent material used on the external exposed surface of the keyboard so that it is luminous for a certain duration by being irradiated with a light source.

The Takami reference teaches or suggests a watch provided with a liquid crystal display element and a reflector comprising a luminescent phosphor in limited partial area of the reflector corresponding to a specified display portion which should be visible in the dark. The luminescent phosphor includes a radioactive nuclide such as promethium or tritium¹.

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicant has amended the claimed invention to clearly distinguish over the cited prior art.

Applicant asserts that any combination of the Dreher reference in view of the Inobe et al. reference and in further view of the Takami reference fails to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the claimed invention of presently amended independent claim 5 because any combination of the cited prior art fails to teach or suggest all the claim limitations of the claimed inventions of presently amended independent claim 5. Applicant asserts that any combination of the cited prior art fails to teach or suggest the claim limitation of presently amended independent claim 5 calling for "a chemical source of electrical power".

Accordingly, presently amended independent claim 5 is allowable.

Applicant submits that claims 1, 2, 5, 8, and 9 are clearly allowable over the cited prior art.

Applicant requests the allowance of claims 1, 2, 5, 8, 9, 19 and 22 and the case passed for issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James R. Duzan". The signature is fluid and cursive, with a long, sweeping underline.

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